



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on January 28, 1999

NOTICE OF ACTION TAKEN -- DOCKET OST-98-3419

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of **Delta Air Lines, Inc.** filed **12/21/98** for:

XX Waiver from dormancy condition:

By Order 98-5-17, the Department granted certificate authority to Delta to provide service between Portland and Osaka, and allocated it seven weekly frequencies for this service. The frequencies are subject to the condition that they will expire automatically and revert to the Department for reallocation if they are not used for a period of 90 days. Under the terms of the order, the frequency allocation would expire January 26, 1999, i.e. 90 days after Delta's proposed start-up date of October 28, 1998. Delta seeks a waiver of the 90-day dormancy condition through June 30, 1999, stating that economic conditions in Asia make it necessary to delay inauguration of its service. Delta states that it now plans to begin service between Portland and Osaka in June 1999.

Applicant rep.: **Robert E. Cohn, (202) 663-8060** DOT analyst: **Gerald Caolo, 202-366-2406**

DISPOSITION

XX **Granted**

The above action was effective when taken: **January 26, 1999,** through **June 30, 1999**

XX **Action taken by: Paul L. Gretch, Director**
Office of International Aviation

Remarks: The 90-day dormancy period will begin June 30, 1999, or the date on which Delta begins service in the Portland-Osaka market, whichever occurs earlier.

Answers: American Airlines, Inc., filed an answer to Delta's application, stating that it did not oppose the application, provided that the Department grants American's similar request in Docket OST-98-3419. We have acted on American's request concurrently with our action here (see Notice of Action Taken dated January 28, 1999, in Docket OST-98-3419).

(See Reverse Side)

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; and (2) grant of the waiver was consistent with the public interest. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
http://dms.dot.gov/reports/reports_aviation.asp.*